



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher  
Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

**Unit 20 – The Practice of Family Law**

**Question paper**

**January 2024**

**Time allowed: 3 hours and 15 minutes (includes 15 minutes reading time)**

**Instructions and information**

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- A basic calculator is provided should you require the use of one.

You can use your own unmarked copy of the following designated statute book – ***Blackstone’s Statutes on Family Law 31st edition, Rob George, Oxford University Press, 2022.***

- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

**Turn over**

**Answer ALL questions.**

**Question 1**

Reference: Question relates to **Documents 1 and 2** of the case study materials.

Advise your client, Mrs Rebecca Hoffmann, as follows:

- (a) Advise of the ground for divorce and how she would satisfy this. **(5 marks)**
  
- (b) Explain the procedure required to commence divorce proceedings, including advice on the earliest date for an application. **(5 marks)**
  
- (c) Explain the additional formalities required because of her husband's Jewish faith and how these may impact on her application. **(5 marks)**
  
- (d) Advise of the effect of divorce on inheritance, including pensions, and of any action she should take in this respect. **(5 marks)**

**(Total: 20 marks)**

**Question 2**

Reference: Question relates to **Documents 1 and 3** of the case study materials.

Advise your client, Mrs Charita Kaur, as follows:

- (a) Explain the procedure to commence action to obtain financial remedies, referring to any relevant financial documents and time frames. **(5 marks)**

Mrs Kaur telephoned to say that her husband has now sent her a copy of a 'pre-marital agreement' that limits his financial responsibility to paying maintenance for any children. The document was signed by Mrs Kaur and dated just days before the marriage. Mrs Kaur has a vague recollection of signing a document when asked to by her father. She is adamant that it was not explained to her or discussed. Her father told her not to worry as he and Mr Kaur's father had agreed it.

- (b) Explain to Mrs Kaur all the factors that the court will consider when dealing with an application for financial remedies, including whether she would be bound by the pre-marital agreement. **(25 marks)**

**(Total: 30 marks)**

### Question 3

Reference: Question relates to **Documents 1 and 4** of the case study materials.

Advise your client, Elton Williams, as follows:

- (a) Explain which s8 Children Act 1989 order he should apply for to resolve the difficulties he is having regarding his children and advise of the likely outcome of an application, with reference to the principles and factors the court must consider.

**(19 marks)**

- (b) Explain why the court might also consider issuing a Family Assistance Order in this case.

**(5 marks)**

**(Total: 24 marks)**

### Question 4

Reference: Question relates to **Documents 1 and 5** of the case study materials.

Advise your client, Ms Julie Beynon, as follows:

- (a) Advise which orders you should apply for on behalf of your client to protect her from further domestic abuse and explain how the application should be commenced.

**(6 marks)**

- (b) Advise of the likely outcome of an application, with reference to the factors that the court must consider when deciding whether to grant the application.

**(20 marks)**

**(Total: 26 marks)**

**End of the examination**

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